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82d Congress, 1st Session } SENATE { Report No. 675

THOMAS ALVA RAPHAEL (RICHARDS)

August 20 (legislative day, August 1), 1951.—Ordered to be printed

Mr. McCarran, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 2787]

The Committee on the Judiciary, to which was referred the bill (H. R. 2787) for the relief of Thomas Alva Raphael (Richards), having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant a waiver of the racial barrier to admission into the United States in behalf of a Japanese child in the care of Staff Sgt. and Mrs. Thomas G. Richards, who are citizens of the United States. The child would be considered to be a nonquota immigrant which is the status normally enjoyed by the alien minor children of citizens of the United States.

STATEMENT OF FACTS

The beneficiary of the bill is a minor Japanese foundling who has been adopted by Staff Sgt. and Mrs. Thomas G. Richards, who are citizens of the United States. Sergeant Richards is presently on duty with the United States Armed Forces in Japan.

Congressman Mike Mansfield, the author of the bill, appeared before a subcommittee of the Committee on the Judiciary of the House of

Representatives and submitted the following information with reference to the case:

WING LEGAL OFFICE,
374TH TROOP CARRIER WING (H),
APO 704, December 30, 1950.

Hon. MIKE MANSFIELD,
United States Representative,
House Office Building, Washington, D. C.

DEAR SIR: As the wing legal officer at Tachikawa Air Base, I have been requested to advise Staff Sgt. and Mrs. Thomas G. Richards, of Lewistown, Mont., regarding their contemplated adoption of a foundling from a Japanese home. I have consulted with them at length, and reviewing their case thoroughly I am taking the liberty of seeking your assistance in this matter on their behalf.

The background of the adoption is this:

The foundling home is operated by Catholic Franciscan missionaries in Yokohama, Japan. The foundlings left with the home are born of Japanese-mother and American-soldier fathers for the most part; they are left in the care of this home almost from birth. After baptizing the little children in the Catholic Church they are placed with families who are either of the same faith, or will agree to raise the child in the Roman Catholic Church. However, these children are turned over to the prospective adopting parents immediately and at the present time, while I am advising them, they have the little children in their homes. Since these children are considered to have at least 50-percent Japanese blood it is my understanding that they are ineligible for entry into the United States under existing immigration laws.

Therefore, I am addressing this letter to you to request your assistance in presenting a private bill to the Congress on behalf of Staff Sgt. and Mrs. Richards, which legislation would permit the entry of this child into the United States for the purpose of adoption by this couple. I am in a quandary as to whether or not there is a Japanese court of competent jurisdiction before which petition of adoption could be favorably acted upon in satisfaction of Japanese law. In the event that it is possible to arrange an adoption before a Japanese court, it will still be necessary to ask for the private bill in order to gain entry for the child. I intend to consult with the United States Department of Immigration further on this matter.

The Honorable Tom Pickett, of the Seventh District of Texas, is presently drafting similar legislation on behalf of Staff Sgt. and Mrs. E. H. Shelton, whom I am also advising in this matter.

I would appreciate any advice that you might give me in regard to supporting information that I could prepare to assist the passage of this bill, in the event that you will kindly consent to act on behalf of this couple.

Thanking you in advance for your courtesy in this instance, I am

Very sincerely yours,

GEORGE J. GOLDSBOROUGH, Jr.,
First Lieutenant, United States Air Force,
Wing Legal Officer.

WING LEGAL OFFICE,
374TH TROOP CARRIER WING (H),
APO 704, February 7, 1951.

Hon. MIKE MANSFIELD,
United States Representative, First District, Montana,
House Office Building, Washington, D. C.

DEAR SIR: Your letter of January 8, 1951, reference the private bill in behalf of Staff Sgt. and Mrs. Thomas G. Richards was received with pleasure. I am happy to forward to you what I hope is a complete file of the papers necessary to substantiate action on this bill.

On behalf of the Richards' I filed a petition of the Hachioji branch of the Tokyo domestic-relations court requesting adoption of this child, Thomas Alva Raphael (Richards). After the court had appointed me guardian ad litem for the child the petition of adoption was granted. Copies of the petitions and the decrees, in both Japanese and English, are enclosed and identified. There are also letters from the Catholic chaplain of this base and many letters of recommendation. Needless to say, both personally and officially, I heartily endorse the passage of this bill.

At the present time I am communicating with the Honorable Tom Pickett, of Texas, and will communicate with Representatives from Idaho and Pennsylvania on similar cases. H. R. 7872, dated March 27, 1950 (81st Cong., 2d sess.), introduced by the Honorable Mr. Rodino, of New Jersey, has come to my attention. Such an omnibus bill would solve the problems that arise in connection with these private bills.

Your help in this matter is greatly appreciated. I am sure that you realize the need for haste in that an evacuation of dependents before passage of this bill would result in this child's being left behind. Anything further that I might contribute will be most cordially forwarded.

Thanking you in advance for your kind attention to this matter, I remain,

Sincerely yours,

GEORGE J. GOLDSBOROUGH, Jr.,
First Lieutenant, United States Air Force,
Wing Legal Officer.

I, Mary Jane Alvira Richards, after having been read the twenty-fourth article of war, and after having been told that it is not necessary for me to answer any questions that might tend to degrade me or to incriminate me, and that any statement made by me may be used against me, do hereby make the following statement:

STATEMENT

I, Mary Jane Alvira, was born October 20, 1912, the third child and second daughter of Alva Lawrence Kekley and Laura Jane Smith, at Ionea, Chickasaw County, in the State of Iowa.

I attended grade school and graduated from the Ionia public school in 1930. I attended Iowa State Teachers College at Cedar Falls, Iowa, and taught in the rural schools of Iowa.

I was married in 1934 to O. C. Belknap and became a widow, by death, in 1946. I married Thomas G. Richards, staff sergeant in the United States Air Force on April 3, 1948.

We are at present living on the Tachikawa Air Base in Japan.

MARY JANE RICHARDS.

Subscribed and sworn to before me this 8th day of February 1951 at APO 704.

GEORGE J. GOLDSBOROUGH, Jr.,
First Lieutenant, United States Air Force,
A Summary Court.

I, Thomas G. Richards, staff sergeant, United States Air Force, after having been read the twenty-fourth article of war, and after having been told that it is not necessary for me to answer any questions that might tend to degrade me or to incriminate me, and that any statement made by me may be used against me, do hereby make the following statement:

STATEMENT

I, Thomas G. Richards, was born on the 23d day of May 1909 in Lewistown, Mont., the youngest of nine children of Margaret Dillon and Jesse O. Richards. I attended the grade schools of Lewistown and 2 years of high school at the Fergus County High School. I lived in Lewistown until 1947 and then went to Idaho. I joined the Air Force the 1st of October 1942, and was discharged in 1945. I was out of the service until January 7, 1947, when I reenlisted in the Air Force, being discharged in January 1950, and again reenlisting under the career plan for an indefinite period. My only income is from the service, drawing staff sergeant's pay.

I married Mary Jane Belknap on April 3, 1948, and we are now living on the Tachikawa Air Base in Japan.

THOMAS G. RICHARDS,
Staff Sergeant, United States Air Force.

Subscribed and sworn to before me this 8th day of February 1951 at APO 704.

GEORGE J. GOLDSBOROUGH, Jr.,
First Lieutenant, United States Air Force,
A Summary Court.

JANUARY 26, 1951.

DECISION

Petitioner, Thomas G. Richards; permanent address, Lewistown, Mont., the United States of America; present address, 415–6, Dependent House, Tachikawa Air Base, Honshu, Japan.

Petitioner, Mary Jane Richards; permanent address, Lewistown, Mont., the United States of America; present address, 415–6, Dependent House, Tachikawa Air Base, Honshu, Japan.

Person in question, Joji Takano; permanent address, 30–1, Minami, karuizawa-machi, Nishi-ku, Yokohama, Honshu, Japan; present address, 415–6, Dependent House, Tachikawa Air Base, Honshu, Japan.

Upon the petition of adoption between the above two parties, case No. 112, 1951, I, having judged the petition of petitioner as proper one, after having been told the opinion of Mr. Kenjiro Kurosaki, interpreter and witness of this case, hereby decine as follows:

SENTENCE

The petitioners are permitted to adopt the person in question on this case.

TAKESHI HASEGAWA,
Judge of Domestic Relations,
Hachioji Branch of Tokyo Domestic Relations Court.

I certify that the above is a full and complete copy of the original official record.

[OFFICIAL SEAL] NAMIKO NAKANO,
Court Clerk.

I affirm that the above is a true and exact translation of the attached copy to the best of my knowledge and ability.

KENJIRO KUROSAKI,
Interpreter, Wing Legal Office.

OFFICE OF THE CATHOLIC CHAPLAIN,
374TH TROOP CARRIER WING, APO 704,
San Francisco, Calif., February 7, 1951.

To Whom It May Concern:

Permit me to recommend the passage of a private law to enable Staff Sgt. and Mrs. Thomas G. Richards, to bring their adopted son, Thomas Alva Raphael, into the United States. Both Sergeant and Mrs. Richards are individuals of splendid character and should provide an excellent home and upbringing for their child.

Sincerely yours in Christ,

WILLIAM E. MAHER,
Chaplain (Captain), United States Air Force,
Catholic Chaplain.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 2787) should be enacted.

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